An Act

ENROLLED SENATE
BILL NO. 1661

By: Ford and Ivester of the Senate

and

Denney of the House

An Act relating to adult education; amending 70 O.S. 2011, Section 3-110.1, which relates to funds for adult education; replacing reference to the State Board of Education with the State Board of Career and Technology Education; amending 70 O.S. 2011, Section 5-132, which relates to adult high school completion; replacing reference to the State Board of Education with the State Board of Career and Technology Education; directing transfer of powers, duties, monies and contractual rights related to adult education from the State Board of Education to the State Board of Career and Technology Education on certain date; directing the Director of the Office of Management and Enterprise Services to coordinate certain transfer; directing transfer of certain administrative rules from the State Board of Education to the State Board of Career and Technology Education; directing promulgation of rules; authorizing the State Board of Career and Technology Education to enter into certain agreements; directing the Department of Education to retain responsibility for issuing certain diplomas; creating the Adult Education Revolving Fund; repealing 70 O.S. 2011, Section 3-110, as amended by Section 589, Chapter 304, O.S.L. 2012 (70 O.S. Supp. 2013, Section 3-110), which relates to the Adult Education Revolving Fund; providing for codification; providing an effective date; and declaring an emergency.

SUBJECT: Adult education

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 2011, Section 3-110.1, is amended to read as follows:

Section 3-110.1. Funds appropriated to the State Board of ~~Education~~ Career and Technology Education for Adult Education Matching Funds shall be provided to school districts which offer courses leading to the General Education Diploma. The State Board of ~~Education~~ Career and Technology Education shall promulgate rules for the distribution of the funds.

SECTION 2. AMENDATORY 70 O.S. 2011, Section 5-132, is amended to read as follows:

Section 5-132. A. Any person who is of legal age and a resident of Oklahoma, over the age of twenty-one (21) and under the age of twenty-six (26), and who has not completed the twelfth grade in school shall be given the same educational privileges and opportunities provided by law for children over the age of five (5) and under the age of twenty-one (21), upon submitting to the board of education of the school district in which ~~said~~ the person resides evidence satisfactory to that board showing that during the time before he or she was twenty-one (21) years of age he or she was unable to attend school for a definite period or periods of time because of physical disability, or service in the United States Armed Forces or Auxiliary Organizations, by reason whereof it was impossible for him or her to complete the twelfth grade before reaching the age of twenty-one (21). Provided, further, ~~said~~ the pupil shall be counted in the average daily attendance of the district where he or she attends school during the period of time provided for in this article for the purpose of calculating State Aid for the district.

B. Any resident of the state who is nineteen (19) years of age or older, who is not enrolled in any high school program, and who has not completed the twelfth grade may attend any adult high school completion program which is established by a school district and approved by the State Board of ~~Education~~ Career and Technology Education if such attendance has the approval of the district

offering the program. Such attendance shall not be counted in the average daily attendance of the district unless the Legislature appropriates monies for adult high school completion programs. Such attendance shall not be counted to meet minimum numbers for accreditation of the school district involved, and such students shall not attend classes which are a part of the normal class structure of the district.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 14-130 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. On July 1, 2014, all powers, duties, functions, and responsibilities of the State Board of Education that relate to adult education shall be transferred to the State Board of Career and Technology Education. The transfer shall include all equipment, supplies, records, assets, current and future liabilities, fund balances, encumbrances, obligations, and indebtedness associated with the State Board of Education that relate to adult education.

B. Any monies accruing to or in the name of the State Board of Education on and after the effective date of this act that relate to adult education, or any monies that accrue in any funds or accounts or are maintained for the benefit of the State Board of Education on and after the effective date of this act that relate to adult education shall be transferred to the State Board of Career and Technology Education.

C. The State Board of Career and Technology Education shall succeed to any contractual rights and responsibilities incurred by the State Board of Education.

D. The Director of the Office of Management and Enterprise Services is hereby directed to coordinate the transfer of funds, allotments, purchase orders, and outstanding financial obligations or encumbrances as provided for in this section.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 14-131 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. Effective July 1, 2014, all administrative rules promulgated by the State Board of Education that relate to adult education programs shall be transferred to and become a part of the administrative rules of the State Board of Career and Technology Education. The Office of Administrative Rules in the Secretary of State's office shall provide adequate notice in the Oklahoma Register of the transfer of such rules, and shall place the transferred rules under the Administrative Code section of the State Board of Career and Technology Education. Such rules shall continue in force and effect as rules of the office of the State Board of Career and Technology Education from and after July 1, 2014, and any amendment, repeal or addition to the transferred rules shall be under the jurisdiction of the State Board of Career and Technology Education.

B. The State Board of Career and Technology Education shall adopt and promulgate rules and standards for adult education programs and distribution of funds to school districts and organizations which offer adult education services in this state.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 14-132 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. The State Board of Career and Technology Education is hereby authorized and directed to enter into agreements and to contract for the provision of adult education and other services that are needed for courses leading to the General Education Diploma (GED). Any adult education program providing services pursuant to a contract or subcontract with the State Board of Career and Technology Education and receiving funds from the State Board of Career and Technology Education or any contractor with the State Board of Career and Technology Education shall be subject to the provisions of the administrative rules of the State Board of Career and Technology Education.

B. The Department of Education shall retain the responsibility for issuing diplomas to those who successfully complete the General Education Development test, pursuant to criteria established by the State Board of Education.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 14-133 of Title 70, unless there is created a duplication in numbering, reads as follows:

There is hereby created in the State Treasury a revolving fund for the State Board of Career and Technology Education, to be designated the "Adult Education Revolving Fund". The fund shall consist of fees paid to the Board for the scoring of the writing component portion of the General Education Development test as administered by the Board pursuant to law. The revolving fund shall be a continuing fund, not subject to fiscal year limitations, and shall be under the control and management of the administrative authority of the State Board of Career and Technology Education. Expenditures from the fund shall be made to maintain the General Education Development testing process and for the scoring of the writing component of the test. Warrants for expenditure shall be drawn by the State Treasurer on claims by an authorized employee of the State Board of Career and Technology Education and approved by the Director of the Office of Management and Enterprise Services.

SECTION 7. REPEALER 70 O.S. 2011, Section 3-110, as amended by Section 589, Chapter 304, O.S.L. 2012 (70 O.S. Supp. 2013, Section 3-110), is hereby repealed.

SECTION 8. This act shall become effective July 1, 2014.

SECTION 9. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 10th day of March, 2014.

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Presiding Officer of the Senate

Passed the House of Representatives the 16th day of April, 2014.

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Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

_____
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20 _____, at _____ o'clock _____ M.

By: _____